

I. In the Claims (Clean Sheet)

6. A process for the production of a temperature sensitive(ts) Equine abortion virus comprising the steps:  
    infecting a cell culture with an Equine abortion virus;  
  
    treating the cell culture at about 34°C with a non-toxic mutagen; and,  
  
    harvesting an Equine abortion virus mutant from the cell culture.
7. The process of Claim 6 wherein the Equine abortion virus is EHV-1 strain deposited at the ECACC under provisional Accession No. 99061001, or progeny thereof.
8. The process of Claim 6 wherein the cell culture is treated during viral replication.
- Bea-Id:* 9. The process of Claim 6 wherein the mutagen is selected from the group consisting of 5-bromo-2-deoxyuridine, azacytidine, and the like.
10. The process of Claim 6 further comprising incubating the culture.
11. The process of Claim 6 further comprising cloning the culture.
12. The process of Claim 6 wherein the temperature sensitive mutant is sensitive at a temperature above 38.5°C.
13. The process of Claim 6 wherein the temperature sensitive mutant is sensitive at a temperature between 38.5 to 39.0°C.
14. A pharmaceutical composition comprising the temperature

sensitive mutant of Claim 6 and a pharmaceutically acceptable carrier or diluent.

15. A vaccine for the prevention and/or treatment of equine abortion virus infections equidae comprising a temperature sensitive mutant virus and a pharmaceutically acceptable carrier or diluent.

16. The vaccine of Claim 15 wherein the temperature sensitive mutant is EHV-1 mutant.

17. The vaccine of Claim 15 wherein the temperature sensitive mutant is temperature sensitive at a temperature above 38.5°C.

*Beincld.*  
18. The vaccine of Claim 15 wherein the temperature sensitive mutant is the EHV-1 (ts) mutant deposit under Accession No. 99061001 at the ECACC, or a closely related strain thereof.

19. A method for the prevention and or treatment of Equine abortion virus comprising the steps:

administering to an equidae a vaccine according to Claim 15.

20. The method of Claim 19 wherein the vaccine is administered intranasally.

21. The vaccine of Claim 15 wherein the vaccine further provides prevention and or treatment of EHV-4 infections.

22. The vaccine of Claim 15 wherein the vaccine is live.

**II. In the Claims (Marked Version)**

Please cancel claims 1-5 without prejudice or disclaimer.

Please insert the following claims:

- -6. A process for the production of a temperature sensitive(ts) Equine abortion virus comprising the steps:
  - infecting a cell culture with an Equine abortion virus;
  - treating the cell culture at about 34°C with a non-toxic mutagen; and,
  - harvesting an Equine abortion virus mutant from the cell culture.
- 7. The process of Claim 6 wherein the Equine abortion virus is EHV-1 strain deposited at the ECACC under provisional Accession No. 99061001, or progeny thereof.
- 8. The process of Claim 6 wherein the cell culture is treated during viral replication.
- 9. The process of Claim 6 wherein the mutagen is selected from the group consisting of 5-bromo-2-deoxyuridine, azacytidine, and the like.
- 10. The process of Claim 6 further comprising incubating the culture.
- 11. The process of Claim 6 further comprising cloning the culture.
- 12. The process of Claim 6 wherein the temperature sensitive mutant is sensitive at a temperature above 38.5°C.

13. The process of Claim 6 wherein the temperature sensitive mutant is sensitive at a temperature between 38.5 to 39.0°C.

14. A pharmaceutical composition comprising the temperature sensitive mutant of Claim 6 and a pharmaceutically acceptable carrier or diluent.

15. A vaccine for the prevention and/or treatment of equine abortion virus infections equidae comprising a temperature sensitive mutant virus and a pharmaceutically acceptable carrier or diluent.

16. The vaccine of Claim 15 wherein the temperature sensitive mutant is EHV-1 mutant.

17. The vaccine of Claim 15 wherein the temperature sensitive mutant is temperature sensitive at a temperature above 38.5°C.

18. The vaccine of Claim 15 wherein the temperature sensitive mutant is the EHV-1 (ts) mutant deposit under Accession No. 99061001 at the ECACC, or a closely related strain thereof.

19. A method for the prevention and or treatment of Equine abortion virus comprising the steps:

administering to an equidae a vaccine according to Claim 15.

20. The method of Claim 19 wherein the vaccine is administered intranasally.

21. The vaccine of Claim 15 wherein the vaccine further provides prevention and or treatment of EHV-4 infections.